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OFFICE OF PETITIONS

In re Application of : DECISION ON PETITION
Zarowski, et al. :
Application No. 10/541,226 :
Filed: February 13, 2006 :
Docket No.: P70692US0 :
:

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed May 5, 2009.

The Notice of Abandonment mailed April 28, 2009 indicates that the application is abandoned for failure to timely reply to the non-final Office action mailed October 27, 2008.

Petitioner asserts that a reply to the non-final Office action and petition for extension of time were timely submitted April 27, 2009. Petitioners have provided a copy of the reply as well as a return postcard acknowledging USPTO receipt of the reply.

The reply to the non-final Office action filed April 27, 2009 has been located in the official application file.

In view of the evidence presented, the petition to withdraw the holding of abandonment is hereby **GRANTED**.

The Notice of Abandonment is hereby **VACATED** and the holding of abandonment is **WITHDRAWN**.

The application file is being forwarded to Technology Center 3738 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
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